

# Exhibit 6

REDACTED

HOLLY A. MUENCHOW  
MOUSSOURIS vs. MICROSOFT

June 22, 2016

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

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KATHERINE MOUSSOURIS, HOLLY MUENCHOW, and )  
DANA PIERMARINI, on behalf of themselves )  
and a class of those similarly situated, )  
Plaintiffs, ) Case No.  
vs. ) 2:15-cv-01483  
MICROSOFT CORPORATION, ) -JLR  
Defendant. )

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VIDEOTAPED DEPOSITION OF HOLLY A. MUENCHOW  
June 22, 2016  
Seattle, Washington

Reported by:  
David A. Hart  
CCR No. 2007  
Job No. 277921



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1 Q. And did you or the investigator discuss retaliation in any  
2 way?

3 A. Not that I recall.

4 Q. Did you -- did the investigator give you her phone number?  
5 I'm sorry. I don't remember if it was a man or a woman.

6 A. Woman.

7 Q. Woman.

8 Did she give you her phone number?

9 A. Nope.

10 Q. She didn't ask you to telephone her if you thought of  
11 anything else?

12 A. I don't recall if she did or not.

13 Q. Did you take notes during the call?

14 A. Nope.

15 Q. Why not?

16 A. Because it was her investigation. I was answering her  
17 questions, so I assume she did.

18 Q. Did you come to Microsoft directly out of college, as your  
19 first post-college job?

20 A. Yes.

21 Q. And was that in 2002?

22 A. Yes.

23 Q. Since you were hired at Microsoft, how many promotions have  
24 you had?

25 A. I don't know. Let's see. At least four.



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1 Q. What level were you hired at?

2 A. One of those things I should have double-checked before  
3 coming.

4 It was either 58 or 59. I can't remember.

5 Q. How about I suggest to you that it could have been a  
6 Level 58? Does that sound about right?

7 A. That sounds right. Yes. I said 58 or 59. It could be.  
8 Yep. There you go.

9 Q. Were -- were you originally a software test engineer --

10 A. That's correct. Yeah.

11 Q. -- in your first position?

12 A. Yes.

13 Q. And were you working -- I'm going to be asking you some  
14 questions now about the chronology of the time at Microsoft.  
15 And I do have your performance reviews handy, if that will  
16 help you. I'm not planning on asking you about them yet. So  
17 I'm hoping we can get an overall of the chronology.

18 When you first were hired at Microsoft as a software  
19 test engineer, were you working in the engineering  
20 organization?

21 A. That's correct.

22 Q. And who headed up the engineering organization when you began  
23 working at Microsoft?

24 A. From the VP level, I haven't a clue. I can go up a couple  
25 level -- oh. No. Maybe I can't.



1           When I very first started at Microsoft. Well, I do  
2           remember that my skip level was Kory Srock and that he  
3           prob- -- did he -- oh, man. Back in the day. I think he  
4           reported to Jason Zander, but I'm not positive. That might  
5           have been a little bit later.

6       Q.   So if Kory Srock was your skip level, who was your direct  
7           supervisor?

8       A.   Vince Henderson.

9       Q.   And was your salary \$73,000?

10      A.   That sounds roughly right. I don't remember the exact  
11           number.

12      Q.   You have a general recollection that it --

13      A.   It was in the 70s, yeah.

14      Q.   Okay. And did you begin working at Microsoft in September of  
15           2002?

16      A.   Yes.

17      Q.   How did you come to be hired?

18      A.   A Microsoft employee came to my college and did recruiting  
19           interviews, and then after that, Microsoft flew me out and  
20           interviewed me on campus, and eventually I got a job offer.  
21           I accepted.

22      Q.   Do you remember who the recruiter was?

23      A.   No.

24      Q.   Did you have any discussions with the recruiter about  
25           Microsoft's interest in hiring women?

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1 A. No. She reported to Devindra.

2 Q. And at some point, how did Mr. Raitt move into your  
3 supervisory chain?

4 A. Devindra reported to Mr. Raitt.

5 Q. And at the time Mr. Raitt moved into your supervisory chain,  
6 what level were you?

7 A. Okay. Let me think. So this was -- we just talked about the  
8 promotion.

9 Q. Let's see if I can help you.

10 A. I think it was 61. It was that or 62.

11 Q. Okay.

12 A. Whatever -- one before whatever I am right now.

13 Q. What level are you now?

14 A. I can't even recall. I believe I'm Level 62 right now. Is  
15 that right?

16 Q. No.

17 A. I'm 63?

18 Q. Yes.

19 A. Okay. Then I was 62 at the time.

20 Q. All right. Let me -- let me try and ask you this: When were  
21 you last promoted?

22 A. In January or Februaryish time frame of this year.

23 Q. Could it have been March of 2016?

24 A. So okay. It wasn't until March that it became official?  
25 Okay.



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1 Q. I'm just asking.

2 A. Okay. I thought it was February. But it was in March.

3 Q. Okay. All right.

4 A. Yes.

5 Q. Your last promotion was under which direct supervisor?

6 A. Jing Sun.

7 Q. Did you have a conversation with Mr. Raitt after you returned  
8 from maternity leave and any time prior today about when  
9 you'd be ready for a promotion to Level 63?

10 A. Specifically about a -- yes. Yes, we did.

11 Q. And what did you and Mr. Raitt discuss about a possible  
12 promotion for you to Level 63 after you returned from  
13 maternity leave?

14 A. The conversation, as I recall, was that I was being  
15 considered for the promotion in the, whatever, January to  
16 March time frame of 2016.

17 Q. When did you have that discussion with him?

18 A. It would have either been late 2015 or early -- or maybe even  
19 as late as January 2016.

20 Q. Did Mr. Raitt explain to you after you returned from  
21 maternity leave what you needed to do to obtain the Level 63  
22 promotion?

23 A. I don't know that I would characterize it that way. I  
24 mean -- but -- but the -- it would -- I would have more -- I  
25 would more characterize it as explained to me what I wasn't



1 expectations of my male colleagues.

2 Q. Which male colleagues were treated differently on that point?

3 A. Let's see. Early days. Who would it have been back then.

4 [REDACTED], sure. [REDACTED] something. I can't think of his  
5 last name. Oh. I guess possibly [REDACTED]. [REDACTED].

6 [REDACTED], maybe, towards the end there. I think we overlapped.

7 And there was another guy, whose name is not coming to me  
8 right now.

9 MS. DERMODY: This sounds like it's going  
10 to be going into another --

11 MS. HERMLE: Fine. You need a break,  
12 we'll take a break.

13 MS. DERMODY: Thank you.

14 THE VIDEOGRAPHER: One second.

15 We are going off the record. The time is 10:10 a.m.

16 (A recess was taken.)

17  
18 THE VIDEOGRAPHER: We are going back on  
19 the record. The time is 10:28 a.m.

20 Q. (By Ms. Hermle) Ms. Muenchow, have you given a deposition  
21 before?

22 A. No.

23 Q. As we go through the day, you're going to continue to be  
24 testifying under oath and under penalty of perjury. Do you  
25 understand that?



1 criticized for the how in your reviews because of your  
2 gender; is that correct?

3 A. I'm not sure that the criticism I received was relating to --  
4 quote, to the how that Microsoft was supposedly evaluating.

5 Q. If I understand your answer, you believe that you've been  
6 subjected to unfair, gendered criticism in ways other than  
7 analysis of the how? Is that correct?

8 A. I couldn't say whether or not those criticisms were  
9 specifically the analysis of the how or not. They weren't  
10 necessarily grouped.

11 Q. When you say that the question of criticism is -- because of  
12 your gender -- is nuanced, what do you mean?

13 A. That it can be challenge -- that -- okay. So I guess what I  
14 mean is that it's not that I receive criticism that my male  
15 colleagues don't. I think it's more to the degree in which I  
16 receive it.

17 So certainly there are times that, say, for example,  
18 male colleagues have received criticism that they're too  
19 assertive, but they receive that for behavior that's way out  
20 of proportion to the kind of behavior that I exhibit that  
21 then I receive the criticism for being too assertive, whereas  
22 I see male colleagues doing the same behavior I do, of  
23 assertiveness, and getting promoted and/or positive feedback  
24 for that.

25 Q. And who are you referring to?

1 A. [REDACTED].

2 Q. And what was his conduct that was significantly more  
3 assertive than yours?

4 A. Also [REDACTED].

5 But let's see. The interrupting people, standing up  
6 for sort of passionate -- in standing up for belief about  
7 both the best way to -- sort of the best way to do things and  
8 the important technical topics.

9 Q. And who is the supervisor he was reporting to when he got the  
10 promotion you're referring to that was faster than your  
11 promotion?

12 A. I don't know that [REDACTED] had a faster promotion than I  
13 did.

14 Q. So are you telling me that his progression at Microsoft has  
15 been faster or higher or stronger than yours in some way?

16 A. I don't know the specifics of his progression at Microsoft.  
17 My perception is that despite being at a higher level at  
18 times, he was -- no. He was -- yeah. He was -- what am I  
19 trying to say? His behavior was at a lower level, I guess I  
20 would say, and yet he was still given positive feedback to  
21 continue that and not called on it.

22 Q. How do you know he was given positive feedback?

23 A. I don't know. That was my perception.

24 Q. Based on what?

25 A. His career path, that he -- his manager at the time asked him

1 Q. (By Ms. Hermle) When did you first see this, Exhibit 2?

2 A. In its fully printed form? I believe after I returned from  
3 maternity leave.

4 Q. Is this the Connect that Mr. Reppart gave you after you  
5 returned from maternity leave?

6 A. To my best recollection, it looks like it, yes.

7 Q. So is this the one that you would have been discussing with  
8 him in the meeting you've been telling me about in which he  
9 used the gender terms "cheerleader" and the word like  
10 "aggressive"?

11 A. Almost. He didn't use the word "cheerleader" in that  
12 specific meeting. But yes.

13 Q. You list here on the fourth page of this that you had many  
14 personal distractions that hurt your ability to focus on work  
15 and you don't feel like you delivered as high quality or  
16 complete of work as -- as you -- you did, you say. Do you  
17 see where I'm referring to? I'm on Page 4.

18 A. Yes, I see that section.

19 Q. What were you referring to in terms of the personal  
20 distractions?

21 A. Pregnancy.

22 Q. Under "Going Forward" on Page 5, you talk about expecting to  
23 be on leave for most of the coming period. Was this review  
24 discussed with you before your leave?

25 A. No. I submitted it prior to my leave, but we never discussed

1 communications, before Mr. Reppart?

2 A. Yes.

3 Q. How many supervisors had given you that type of criticism?

4 A. I can't remember specifically which ones. I remember at  
5 least one instance of it.

6 Q. Do you remember that it was more than one supervisor who  
7 provided that type of input?

8 MS. DERMODY: Object to form.

9 THE WITNESS: "More than one." Let's  
10 see. Not the "going dark" piece. I don't recall that that  
11 was more than one. I do recall another supervisor giving me  
12 different feedback that -- that if you were to sort of  
13 categorize, that broadly might fit in a similar category.

14 Q. (By Ms. Hermle) And who were those two supervisors?

15 A. I don't remember where I read the "going dark" one, but it  
16 would have been in, like, roughly 2006, give or take a couple  
17 years. And -- well, maybe before that. And then I recall  
18 another piece of feedback that was -- that wasn't the same.  
19 Uh -- yeah.

20 Q. From who?

21 A. From Darla Hershberger.

22 Q. So if we could look at this paragraph that you've described  
23 as unfair. You said the entire paragraph is unfair. The  
24 first sentence says, "Another thing you can work on to  
25 increase your business impact is learning to choose your

1 battles." Is that sentence unfair to you?

2 A. Yeah. I think so.

3 Q. Why?

4 A. Because I think that men are expected to battle and do it --  
5 at Microsoft, and do it all the time, and that women are told  
6 not to.

7 Q. And what facts are you aware of that suggest that's true?

8 A. Conversations with other women at Microsoft.

9 Q. Anything other than that?

10 A. The regard and/or promotion velocity I see of male colleagues  
11 who are notorious for being battle-like, let's just say.

12 Q. And who are you referring to?

13 A. [REDACTED] comes to mind. [REDACTED]. Let's see. Who  
14 else. [REDACTED]. I'm sure there are others that are  
15 not coming to me right now.

16 Q. The second sentence of this paragraph says, "Anyone who's  
17 worked with you knows that you're smart and tenacious and  
18 will fight for what's right." Is that sentence unfair to  
19 you?

20 A. Yeah.

21 Q. Why?

22 A. Because I don't fight for what's right. I mean, I don't  
23 think of it as fighting.

24 Q. What are you thinking of it as?

25 A. Defending, which is not -- "fight" implies an -- a offensive

1 stance.

2 Q. The next sentence says, "Those are positive qualities however  
3 many folks who work with you see you pushing too far instead  
4 of effectively compromising." And why is that sentence  
5 unfair to you?

6 A. Because when I see my male colleagues pushing farther than  
7 that and that they are not considered pushing too far,  
8 farther than what I do.

9 Q. The last sentence of this says, "One aspect of the skill of  
10 influence is to letting others" -- I'm sorry. "One aspect of  
11 the skill of influence is letting others win some battles  
12 while simultaneously guiding them in the direction that you  
13 desire." Do you agree with that sentence?

14 MS. DERMODY: Object to form.

15 THE WITNESS: Not exactly.

16 Q. (By Ms. Hermle) Why not?

17 A. It's the characterization of "battles." Like, I don't think  
18 that that's -- and if they had -- if they had used a  
19 different word, maybe I would have -- I would agree with the  
20 gist of it. I don't think that it's a fight that someone is  
21 winning or losing.

22 Q. What word other than "battles" would have been appropriate,  
23 in your view?

24 MS. DERMODY: Object to form.

25 THE WITNESS: Maybe "believe that they

1 Q. Greatly appreciate it.

2 A. Communicate out expectations to all the test teams in terms  
3 of what the product release schedule was so that they could  
4 plan testing appropriately. For Visual Studio team, I should  
5 say. That was the product.

6 As well as mentor [REDACTED], improve infrastructure to track  
7 sort of critical-release tasks, and then facilitate the sort  
8 of Tenet -- sort of lead the leaders. There was a set of  
9 people who were responsible for each of the various Tenet  
10 communities, and I was responsible for sort of leading the  
11 guidance of those people about what to do.

12 Q. In your mind, what percentage of your duties were  
13 communication duties?

14 MS. DERMODY: Object to form.

15 Q. (By Ms. Hermle) Do you understand my question?

16 A. I -- I -- I'm -- I -- I think the -- the part that I find  
17 confusing about your question is that communication is part  
18 of all types of work. And so, like, it -- it sort of  
19 constantly plays a role, even in coding. And so --

20 Q. Let me change it, then.

21 A. Yeah.

22 Q. When you said that your duties included communicate out  
23 expectations to all the test teams in terms of what the  
24 product release schedule would be, was that a major duty for  
25 you?

1 A. It was a critical one in terms of business importance. In  
2 terms of time spent on it, I would not say it was the  
3 majority of my time.

4 Q. Why was it critical?

5 A. In order for us to meet our release dates and quality goals,  
6 the test teams needed that information.

7 MS. HERMLE: Okay. Can we take lunch?

8 MS. DERMODY: Sure.

9 THE VIDEOGRAPHER: Okay. We are going  
10 off the record. The time is 12:12 p.m.

11 (A lunch recess was taken.)  
12

13 (Exhibit 4, Exhibit 5, Exhibit 6,  
14 Exhibit 7, Exhibit 8, Exhibit 9,  
15 Exhibit 10 were marked for  
16 identification.)  
17

18 THE VIDEOGRAPHER: We are going back on  
19 the record. The time is 1:07 p.m.

20 MS. DERMODY: And, Lynne, before you  
21 start, I wanted to observe that this morning there were a  
22 couple of lines of questioning where I believe Ms. Muenchow  
23 was giving an answer and you were soliciting feedback in the  
24 middle of the answer and you -- that you didn't complete the  
25 whole list, I think in the complaints and promotions. Maybe



1 other groups?

2 A. Yes.

3 Q. And what other groups?

4 A. My job is essentially to work with every single group across  
5 Microsoft.

6 Q. Is it --

7 A. Engineering groups, I should say.

8 Q. Is it important, in your view, that you establish cooperative  
9 working relationships with those other groups in engineering?

10 MS. DERMODY: Object to form.

11 THE WITNESS: It's important to me that  
12 the working relationships are positive and that they're sort  
13 of win-win, so to say.

14 Q. (By Ms. Hermle) Why is it important to you that the working  
15 relationships are positive?

16 A. Because -- there's a couple of reasons. The first one is  
17 that it makes a more pleasant working environment, I think,  
18 for everybody, including myself. The other one is because of  
19 negative feedback I received in the past when working  
20 environments weren't cooperative or positive, whatever.

21 Let's see. Also, that's my interpretation of the "One  
22 Microsoft" culture, that it implies that that's how we should  
23 be working together.

24 Q. When did you first hear about the One Microsoft culture?

25 A. Shortly after Satya became CEO.

1 A. Alternative work arrangements. I think in general -- the  
2 general policy at Microsoft is to enable flexible working  
3 situations, which means sort of working on your own time in  
4 your own place, which means that a lot of coworkers,  
5 including myself, have at times taken advantage of working  
6 from home and -- and working on weekends instead of during  
7 the week as -- as -- occasionally, when that's needed.

8 Q. When you graduated from Wellesley, was it still an  
9 all-women's college?

10 A. Yes.

11 Q. And so when Microsoft was visiting the campus, all of the  
12 students graduating would have been women?

13 A. All of the students who were getting a diploma from  
14 Wellesley -- wait. Well, undergraduate -- all the students  
15 in my graduating class were women. That's definitely true.

16 Q. Were there any other women in your graduating class who were  
17 hired at Microsoft at the same time you were?

18 A. I am not aware of any that were hired at exactly the same  
19 time. I do know that women in my graduating class have  
20 joined Microsoft since then.

21 Q. And who are you referring to?

22 A. [REDACTED] -- either her maiden name or her married name is [REDACTED].  
23 [REDACTED]. And I'm not sure which one it is.

24 Q. Could you please look at Exhibit 12. My question for you is  
25 going to be is this your annual performance review for fiscal

1 A. My perception is that my male colleagues don't like to be  
2 criticized or called wrong and are overly sensitive when a  
3 woman does that and -- to a degree that they aren't for men  
4 when men call them, challenge their correctness. And so the  
5 fact that it's negatively reflected in my feedback is  
6 gendered and unfair.

7 Q. Can you tell me any of the reviews in which those comments  
8 about your communication style or collaboration actually  
9 impacted your overall rating?

10 A. My perception is that all my review feedback impact my  
11 ratings.

12 Q. Can you point me to any reviews in which it adjusted your  
13 rating lower than what it would otherwise have been?

14 MS. DERMODY: Objection. Asked and  
15 answered.

16 THE WITNESS: I don't have specific  
17 visibility into which pieces of what performance review  
18 affect the overall rating. But since -- since -- in -- in  
19 multiple reviews, it's the main -- it's one of the main  
20 points that's called out as a negative. So my perception is  
21 that I would have gotten the highest score without that being  
22 called out at times.

23 Q. (By Ms. Hermle) And when you say "the highest score," what  
24 type of score are you referring to?

25 A. Whatever was considered the best score at the time of the

1 period. And I'm not seeing any gendered feedback in here.

2 Q. Okay. Would you look at Exhibit 22, please. And I'm going  
3 to have the same questions for you once you've had a chance  
4 to review it.

5 A. And I'm guessing you want to ask the fact that it seems to  
6 span the period of -- of February 2015 through June 2015.

7 Q. Yes. Once you've had a chance to look at it --

8 A. Okay.

9 Q. -- does it span that period. I'm going to ask you who gave  
10 it to you, and I'm going to ask you whether there are any  
11 gendered comments.

12 And while you're looking at it, I'm going to run  
13 quickly out of the room while you're doing that. I should be  
14 right back.

15 (Exhibit 24, Exhibit 25,  
16 Exhibit 26, Exhibit 27  
17 marked for identification.)

18  
19 THE REPORTER: Exhibits 24 through 27.

20 THE WITNESS: Would you like me to  
21 answer -- start answering your question?

22 Q. (By Ms. Hermle) Yes.

23 A. I -- you might want to rephrase it so I can -- once I -- let  
24 me -- I -- the piece about which pieces are gendered  
25 feedback, I found an example --

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1 Q. All right.

2 A. -- on -- on Page 4.

3 Q. Before you give me that, let -- let me break the question  
4 down.

5 A. Okay.

6 Q. I don't think it's really fair as I left it.

7 You recognize this as your Connect for the period of  
8 February through June of 2015?

9 A. Yes.

10 Q. And who gave you this Connect?

11 A. I was kind of confused by that, but there's a comment here  
12 that at least Heather was one of the people contributing to  
13 it.

14 Q. Did anyone other than Heather discuss it with you?

15 A. I am not sure if I discussed it with Jing or not. I don't  
16 recall exactly when she started.

17 Q. Okay. Starting on Page 4 of 7, it says "From the acting  
18 manager Heather while [REDACTED] is on leave." Was there a  
19 period of time in which Heather was your acting manager while  
20 [REDACTED] was on leave?

21 A. I guess so. I felt like it was more nebulous than that.  
22 I -- yeah.

23 Q. Do you remember [REDACTED] being on leave for --

24 A. Yeah.

25 Q. -- some period of time?

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1 A. [REDACTED] was definitely on leave.

2 Q. For what purpose?

3 A. A [REDACTED].

4 Q. Now, I think you were telling me that there were gender  
5 comments in Exhibit 22. Is that correct?

6 A. Yes.

7 Q. And what are they?

8 A. The first one is, focus on building the right relationships.  
9 That was -- yeah.

10 Q. What page are you on, Ms. Muenchow?

11 A. Page 4, the second-to-the-bottom paragraph, the last  
12 sentence.

13 Q. And what was gendered about that?

14 A. An expectation that -- again, I just feel like it was a  
15 different bar that's being applied to women versus men in  
16 terms of relationships and perception around -- what's the  
17 word I'm looking for -- being nice, I guess.

18 Q. What about this input leads you to that conclusion?

19 A. When I see -- when I've heard my managers in the past,  
20 probably including Heather, talk about ways to accomplish  
21 tasks and get work done, I rarely hear them -- I -- I don't  
22 nearly as frequently hear them say -- advise men that the way  
23 to accomplish that work is to build relationships as I do  
24 hear them advise women to say that -- to -- to approach the  
25 work in that way.